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May 6, 2025

Via E-File

The Honorable Judge Valerie Caproni
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *The Charter Oak Fire Ins. Co. v. Trisura Specialty Ins. Co.*
Civil Action No.: 1:24-CV-04674 (VEC)

Dear Judge Caproni:

We represent the Defendant Trisura Specialty Insurance Company (“Trisura”) in the above-captioned matter. We have met and conferred with counsel for plaintiff The Charter Oak Fire Insurance Company (“Travelers”) and jointly write to request a sixty (60) day adjournment of the upcoming May 9, 2025 pretrial conference. This is the parties’ first request for an adjournment.

In this declaratory judgment action, Travelers seeks a declaration that Cross Management Corporation (“Cross Management”), Minamoto Kitchoan Co., Ltd. (“Minamoto”), and Shimzu North America, LLC (“Shimzu”) are additional insureds under a Commercial General Liability policy issued by Trisura to Connect Drywall & Acoustics, Corp. (“Connect”). Travelers is currently defending Cross Management, Minamoto, and Shimzu in an underlying action for bodily injuries (the “Underlying Action”).

Travelers and Trisura have begun settlement discussions but require additional time to work out the specifics, including reimbursement for past defense costs that Travelers has incurred. Trisura has to review the bills associated with the defending Cross Management, Minamoto, and Shimzu in the Underlying Action, which Travelers has not yet provided to Trisura. Although Trisura has not yet received the bills, Trisura believes that the parties will not require the intervention of the court for the parties to be able to agree upon the amount of reimbursement for past defense costs. Once Travelers is reimbursed for past defense costs, the parties will then have to transfer the handling of the defense costs, at which point the parties will be able to enter a final agreement and then enter a stipulation to discontinue this Declaratory Judgment action without prejudice.

Hon. Judge Valerie Caproni
May 6, 2025
Page 2

We thank the Court for its time and consideration in this matter.

Respectfully submitted,

CHARTWELL LAW

By: Laura Maletta
Laura M. Maletta, Esq.

cc: Logan A. Carducci, Esq. (*via e-file and e-mail*)

Application GRANTED. The pretrial conference scheduled for Friday, May 9, 2025, at 10:00 A.M. is ADJOURNED to Friday, July 11, 2025, at 10:00 A.M. The Court is highly unlikely to further adjourn the conference, and the parties should be prepared for the Court to set a schedule for their partial cross-motions for summary judgment at the conference.

The Court will refer the parties at any time to Magistrate Judge Aaron for a settlement conference if the parties agree such a referral would be helpful.

SO ORDERED.



5/7/2025

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE